

47. *Chambers v. Babbitt*, 145 F. Supp. 2d 1068 (District of Minn. 2001)
48. *Lavine v. Blaine School District*, 257 F.3d 981 (9th Cir. 2001)
49. *Littlefield v. Forney Independent School District*, 268 F.3d 275 (5th Cir. 2001)
50. *Saxe v. State College Area School District*, 240 F.3d 200 (3rd Cir. 2001)



Supreme Court Case Summaries

Case 1: *West Virginia State Board of Education v. Barnette*, 319 U.S. 624 (1943)

Facts: The West Virginia Board of Education adopted a measure requiring that all public school students salute the flag and recite the Pledge of Allegiance. Students who did not participate could be expelled; their parents could even lose custody of them. A group of Jehovah's Witnesses challenged the law on First Amendment grounds. They argued that the forced flag salute conflicted with their religious beliefs against idol worship and graven images and, therefore, violated their free exercise of religion and freedom of speech rights under the First Amendment.

Issue: Whether school officials violate the First Amendment by forcing students to salute the flag and recite the Pledge of Allegiance.

Holding: By a 6-3 vote, the Court held that school officials do violate the First Amendment by compelling students to salute the flag and recite the Pledge of Allegiance.

Reasoning: The First Amendment prohibits government officials from compelling individuals to speak or espouse orthodox beliefs that are at odds with their conscience and values. "There is no doubt that, in connection with the pledges, the flag salute is a form of utterance." The purpose of the First Amendment is to ensure that individuals have an individual sphere of freedom of thought and belief that the government cannot invade. "Authority here is to be controlled by public opinion, not public opinion by authority."

Majority: "If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein." (Justice Robert Jackson)